

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Bernard Fields**

Docket No. **267871**

L.C. No. **91-001597-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because the defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. Regardless of the title on the pleading, the motion that led to the May 26, 2005 decision, was a motion for relief from judgment that did not sufficiently show newly discovered evidence or a retroactive change in the law. See MCR 6.501(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 24 2006

Date

Sandra Schultz Mengel

Chief Clerk